

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: November 16, 2005

Division: Growth Management

Bulk Item: Yes ☐ No ☒

Department: Planning and Environmental Res.

Staff Contact Person: Timothy J. McGarry

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**AGENDA ITEM WORDING:**

The second of two public hearings to consider an amendment to the Future Land Use Map (FLUM) from Residential Low (RL) to Public Buildings/Grounds (PB) for the County owned property at MM 102 on US1, RE #00543060-000000.

(2nd of two public hearings)

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**ITEM BACKGROUND:**

The first public hearing or "transmittal hearing" was held on November 17, 2004. At that meeting the BOCC recommended approval for the FLUM amendment. The Planning Department upon the instruction of the BOCC transmitted the proposed amendment to the Department of Community Affairs (DCA) for consideration. On September 6, 2005, DCA notified that they reviewed and have raised no objections to the amendment.

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**PREVIOUS RELEVANT BOCC ACTION:** Adopted Transmittal Resolution No.428-2004 on November 17, 2004

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**CONTRACT/AGREEMENT CHANGES:** N/A

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**STAFF RECOMMENDATIONS:** Approval

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**TOTAL COST:** N/A

**BUDGETED:** Yes ☐ No ☐

**COST TO COUNTY:** N/A

**SOURCE OF FUNDS:** \_\_\_\_\_

**REVENUE PRODUCING:** Yes ☐ No ☐ **AMOUNT PER MONTH** \_\_\_\_\_ **Year** \_\_\_\_\_

**APPROVED BY:** County Atty ☒ OMB/Purchasing \_\_\_\_\_ Risk Management \_\_\_\_\_

**DIVISION DIRECTOR APPROVAL:** \_\_\_\_\_

  
Timothy J. McGarry, AICP

**DOCUMENTATION:** Included ☒ Not Required ☐

**DISPOSITION:** \_\_\_\_\_

**AGENDA ITEM #** \_\_\_\_\_

## BOCC Ordinance to Amend the Future Land Use Map (FLUM)

**ORDINANCE NO.**

AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS **APPROVING** AN AMENDMENT TO THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN, TO AMEND THE FUTURE LAND USE MAP FROM RESIDENTIAL LOW (RL) TO PUBLIC BUILDINGS/GROUNDS (PB) FOR THE PROPERTY DESCRIBED AS THE NORTHERN HALF OF TRACT 8, AND ALL OF TRACTS 9 AND 10, SECOND AMENDED AND REVISED PLAT OF LEE SHORES, SECTION 22, TOWNSHIP 61 SOUTH, RANGE 39 EAST, TALLAHASSEE MERIDIAN, KEY LARGO, MONROE COUNTY, FLORIDA. LOCATED AT 102050 OVERSEAS HIGHWAY, MILE MARKER 102. THE REAL ESTATE NUMBER IS 00543060-000000.

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**WHEREAS**, the Monroe County Board of County commissioners, during a regular meeting held on November 17, 2004, conducted a review and consideration of the request filed by the applicant to amend the Future Land Use Map from Residential Low (RL) to Public Buildings/Grounds (PB); and

**WHEREAS**, the Development Review Committee, during a regular meeting held on September 23, 2004, recommended approval of the proposed Future Land Use Map amendment as indicated in Resolution D21-04; and

**WHEREAS** the Monroe County Planning Commission, during a regular meeting held on October 19, 2004, recommended approval of the proposed amendment to the Future Land Use Map from Residential Low (RL) to Public buildings/grounds (PB); and

**WHEREAS**, the Board of County Commissioners made the following Findings of Fact:

1. The Quay Restaurant, Tracts 10, 9 and the north one-half of Tract 8 were rezoned to Suburban Commercial (SC) in 1995.
2. Public buildings and uses are a permitted use in the Suburban Commercial (SC) District.
3. The Future Land Use Map was not changed from Residential Low (RL) during the previous Land Use Map amendment due to ongoing litigation in 1995 regarding the Comprehensive Plan and the Future Land Use Map.
4. The County has purchased the property for an office building and other public uses.
5. The incorporation of Islamorada removed most of the area south of Mile Marker 91 from the jurisdiction of Monroe County's Upper Keys offices of the Planning and Environmental Resources and Building Departments.

The incorporation also placed the County Planning, Environmental Resources and Building offices within incorporated Islamorada. The new government center will relocate services to Key Largo within unincorporated Monroe County and within the County Planning and Environmental Resources and Building Departments' service areas.

6. The Monroe County Year 2010 Comprehensive plan provides a Future Land Use Map designation for public buildings and grounds, Policy 101.4.12. The principal purpose of the Public Buildings/Grounds land use category is to provide for public buildings and grounds owned by the federal, state and local governments.
7. The proposed Future Land Use Map amendment will not adversely affect the community character or neighboring properties; and

WHEREAS, the Board of County Commissioners made the following Conclusions of Law:

1. The proposed amendment is consistent with the policies and regulations of the Monroe County Year 2010 Comprehensive Plan.
2. Pursuant to Section 9.5-511(d) (5) b i, the incorporation of Islamorada removed most of the area south of Mile Marker 91 from the jurisdiction of Monroe County's Upper Keys offices of the Planning and Environmental Resources and Building Departments. The incorporation also placed the County Planning and Building offices within incorporated Islamorada. The new government center will relocate services to Key Largo within unincorporated Monroe County and within the County Planning and Environmental Resources and Building Department's service area.
3. Pursuant to Section 9.5-511(d) (5) b iv, the property has been purchased by Monroe County as the site for its future government center. The proposed Public Buildings/Grounds (PB) Future Land Use Map designation is appropriate to a government center.

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, THAT:**

**Section 1.** The Board of County Commissioners does hereby adopt the Findings of Fact and Conclusions of Law specified above; and

**Section 2.** The property described as the northern half of tract 8, and all of tracts 9 and 10, second amended and revised plat of Lee Shores, section 22, township 61 south, range 39 east, Tallahassee meridian, Key Largo, Monroe County, Florida, located at 102050 Overseas Highway, Mile Marker 102, Real Estate Number 00543060-000000; and

**Section 3.** The Future Land Use Map of the Monroe County Year 2010 Comprehensive Plan shall be amended as delineated in Section 2 above, as shown on the attached map, which is hereby incorporated by reference and attached as Exhibit 1; and

**Section 4.** If any section, subsection, sentence, clause, item, change or provision of this ordinance is held invalid the remainder of this ordinance shall not be affected by such invalidity; and

**Section 5.** All ordinances of parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict; and

**Section 6.** This ordinances is hereby transmitted by the Planning and Environmental Resources Department to the Florida Department of Community Affairs in accordance with the provisions of Sections 163 and 380, Florida Statutes; and

**Section 7.** This ordinance shall be filed in the Office of the Secretary of State of the State of Florida, but shall not become effective until a notice is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance with Chapter 163, Florida Statutes.

**PASSED AND ADOPTED** by the Board of County Commissioners of Monroe County, Florida at a regular meeting held on the 16<sup>th</sup> day of November, 2005.

Mayor Dixie Spehar \_\_\_\_\_  
Mayor Pro Tem Charles "Sonny" McCoy \_\_\_\_\_  
Commissioner George Neugent \_\_\_\_\_  
Commissioner David P. Rice \_\_\_\_\_  
Commissioner Murray E. Nelson \_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

By: \_\_\_\_\_  
Mayor Spehar

(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK

\_\_\_\_\_  
DEPUTY CLERK

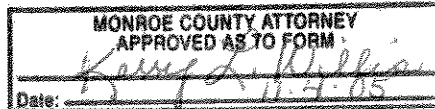
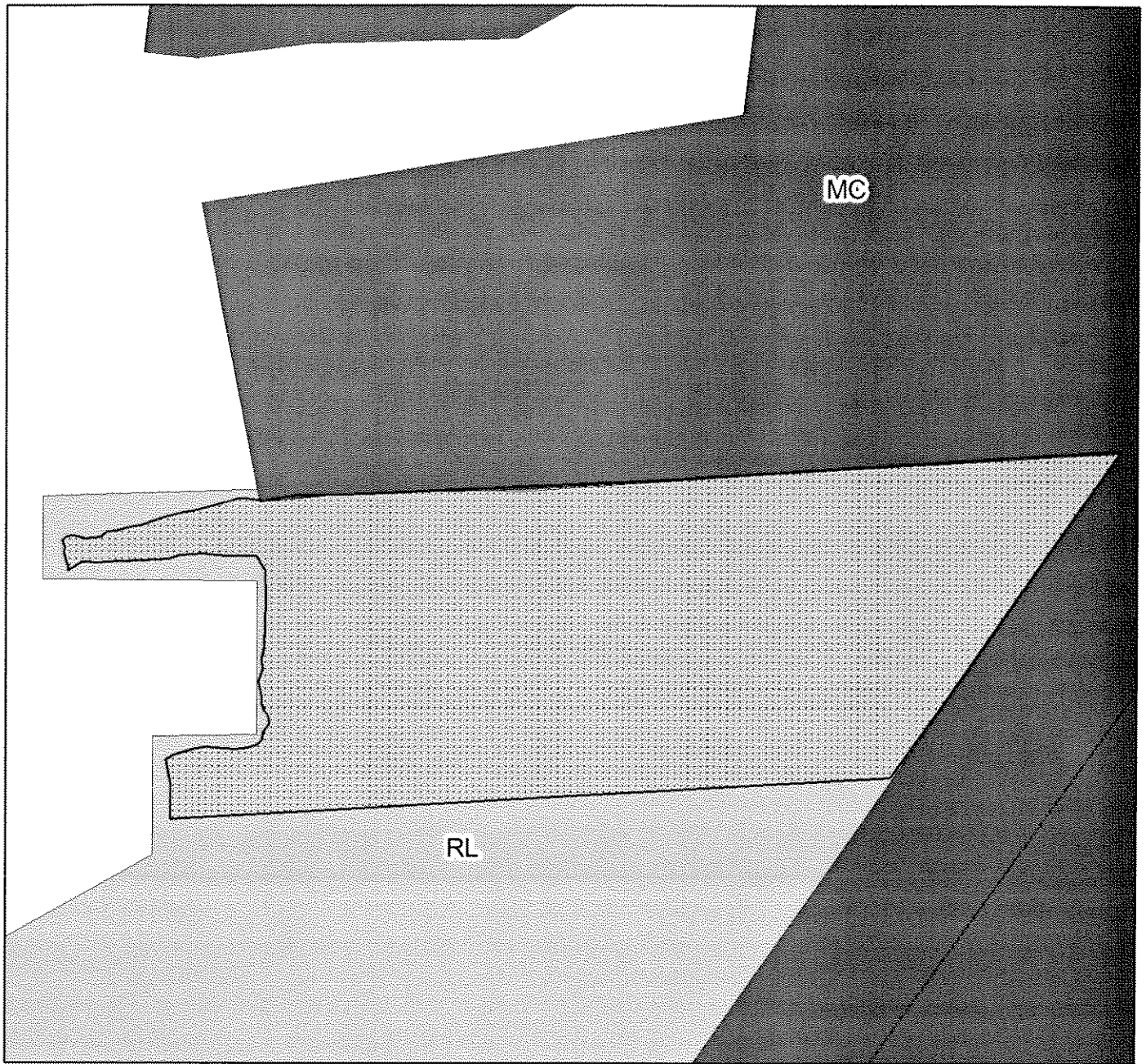


EXHIBIT NO. 1



**The Monroe County Year 2010 Comprehensive Plan  
Future Land Use Map is proposed to be amended as  
indicated above and briefly described as:**

Key: Key Largo

Mile Marker: 102

Proposal: Change Future Land Use District from RL to PB

Property Description: RE 543060

Map Amendment #: M24065

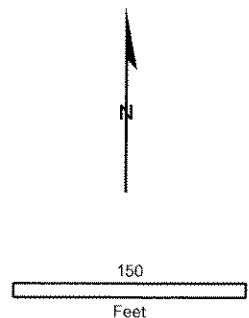


EXHIBIT NO. 1



**Proposed Future Land Use Map Amendment: Aerial**

Key: Key Largo

Mile Marker: 102

Proposal: Change Future Land Use District from RL to PB

Property Description: RE 543060

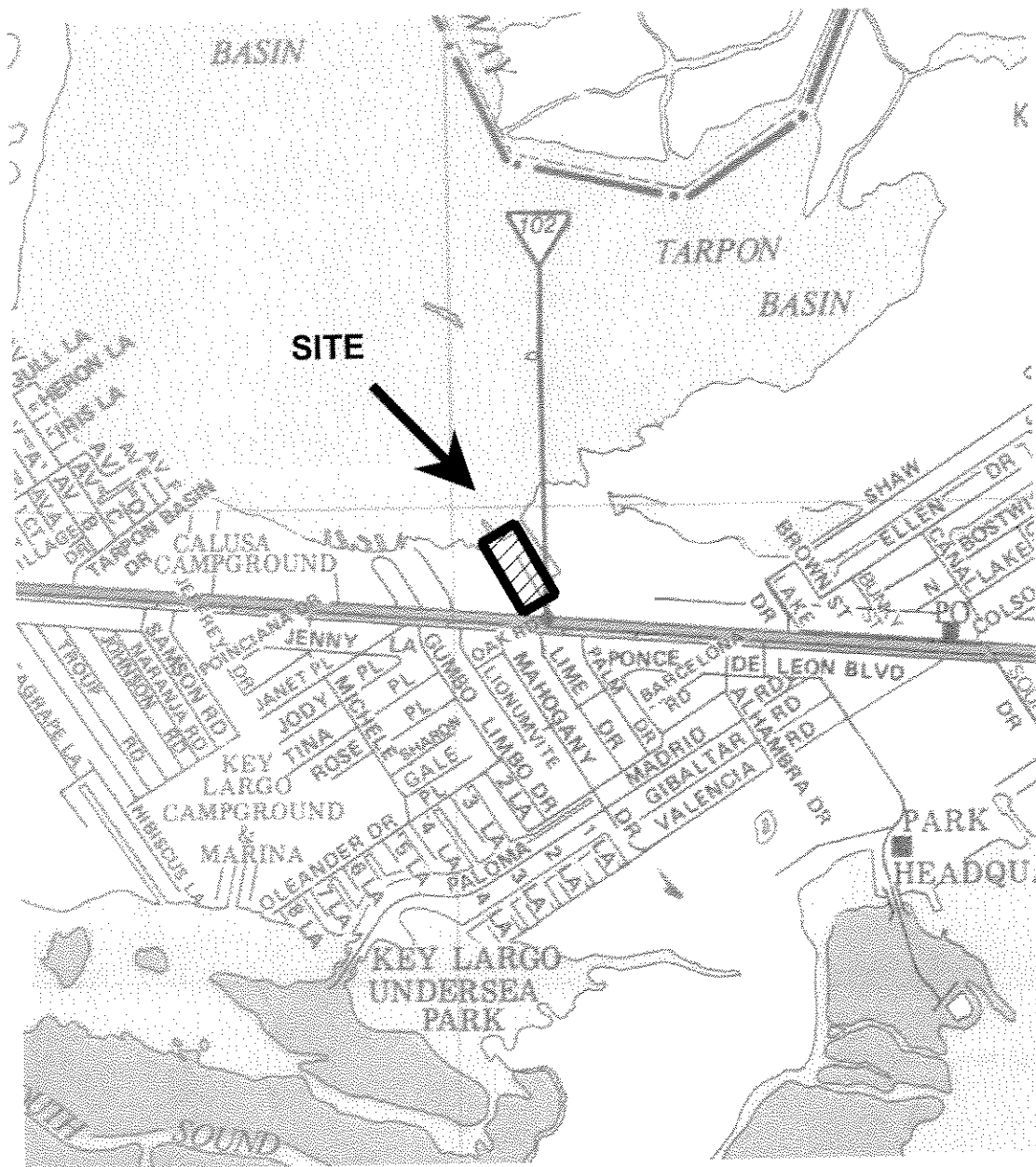
Map Amendment #: M23065



140

Feet





**Proposed Future Land Use Map Amendment: Street Map**

Key: Key Largo

Mile Marker: 102

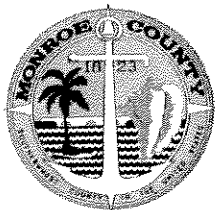
Proposal: Change Future Land Use District from RL to PB

Property Description: RE 543060

Map Amendment #: M23065



## **BOCC STAFF REPORT**



## MEMORANDUM

**TO:** Board of County Commissioners

**FROM:** K. Marlene Conaway,  
Director, Planning and Environmental Resources

**RE:** Monroe County, Future Land Use Map Amendment  
File # M24065

**DATE:** October 26, 2004

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|   |                                 |
|---|---------------------------------|
| <b>EXISTING FUTURE LAND USE MAP DESIGNATION:</b>                            | Residential Low (RL)            |
| <b>PROPOSED FUTURE LAND USE MAP DESIGNATION:</b>                            | Public Buildings / Grounds (PB) |
| <b>EXISTING ZONING MAP DESIGNATION:</b>                                     | Suburban Commercial (SC)        |
| <b>PROPOSED ZONING MAP DESIGNATION:</b>                                     | Not Applicable                  |
| No zoning map change is proposed, site will remain Suburban Commercial (SC) |                                 |
| <b>PROPERTY OWNER:</b>  | Monroe County                   |

### PROPERTY INFORMATION

**Key:** Key Largo

**Size:** 4.07 acres plus .14 acres of Bay bottom

**Mile Marker:** MM 102, Bayside

### **Location Detail & Brief Property Description:**

The site fronts US 1 and extends to Tarpon Basin and Blackwater Sound of the Florida Bay, RE# 00543060.000000. The site consists of two and one-half tracts of land with bay bottom and adjacent portion of right-of-way. The site is 4.07 acres with an additional .14 acres of bay bottom for a total area of 4.21 acres.

Legally described as: 2<sup>nd</sup> Amended & Revised Plat of Lee Shores PB-97 Key Largo North ½ Tract 8 & Tracts 9 & Tract 10, and, Adjacent Bay Bottom & Adjacent Portion of State Road 5 OR512-169 OR5

Section: 22      Township: 61      Range: 39      Monroe County, FL

RE# 00543060.000000

**Existing Use:** The property is the location of the former Quay Restaurant and has been vacant for several years. The property was developed as a restaurant in 1958 and consisted of two buildings constructed in 1958 according to the Assessor's records. In 2003, the Quay Restaurant was subject to a transfer of existing nonresidential floor area off site. At that time, 1,800 sq. ft. of the 9,925 sq. ft. of nonresidential floor area was transferred off site to the Northstar property. The site now has a remaining commercial allocation of 8,125 that may be transferred off site.

**Existing Habitat:** The December 1985 Aerial Existing Conditions Map sheet 281 shows the original restaurant, as well as what appears to be a structure located on the boat basin. The expanded restaurant and the tiki bar/restaurant are not visible on the 1985 map. The area has a disturbed or scarified designation. Isolated large trees are also visible. The environmental Open Space requirement for disturbed habitats such as this one is 0.20, that is, 20% of the site must be undeveloped, but setbacks and required landscaping and buffer areas are included in Open Space calculations.

**Neighboring Land Uses and Character:** The property immediately to the north is developed as the Howard Johnson's Hotel. The hotel is zoned Suburban Commercial (SC) on the Land Use District Map and has a Future Land Use Map (FLUM) designation of Mixed Use Commercial (MC).

The two tracts immediately to the south of the Quay Restaurant, the southerly one-half of Tract 8 and Tract 7, are vacant. The property is zoned Suburban Residential (SR) on the Land Use District Map and has a FLUM designation of Residential Low (RL).

The area south of Tract 7 is zoned Suburban Commercial (SC), however, like the Quay Restaurant property, it has a FLUM designation of Residential Low (RL) extending from the northerly boundary of the Quay Restaurant property approximately 800 ft south to the northerly boundary of Tract 3.

## **ZONING & LAND USE HISTORY**

**Pre-1986 Zoning:** The Quay, Tracts 9 and 10 were zoned BU-2-E, medium business district. Tract 8 was zoned BU-1, light business district.

The area to the North of the Quay, the present location of the Howard Johnson's Hotel, was zoned BU-2, medium business district. The area to the south of the Quay Restaurant, was zoned BU-1, light business district.

The BU-1, light business district allowed specific retail sales and services but prohibited any residential, industrial or manufacturing use.

The BU-2-E is a business designation that allowed for the sale of beer and wine for consumption on premises and off premises.

**Considerations During the 1986 Comprehensive Plan Process:** During the 1986 Comprehensive Plan process, the draft zoning map designated the Quay Restaurant property as Suburban Residential (SR). No changes were made to the map during the planning process. The zoning map was adopted and the Quay Restaurant, Tracts 10, 9 and the north one-half of Tract 8, was designated Suburban Residential (SR).

The Quay Restaurant shared this new Suburban Residential (SR) designation with the two tracts immediately to the south, the south one-half of Tract 8 and Tract 7.

The four Suburban Residential (SR) Tracts were situated between two areas of Suburban Commercial (SC) zoning. The Howard Johnson's Hotel and the land to the north was rezoned to

Suburban Commercial (SC) as was the mixed residential and commercial area to the south of the Quay Restaurant property.

**Considerations During the 2010 Comprehensive Plan Process:** During the Year 2010 Comprehensive Plan process, the Quay Restaurant, Tracts 10, 9 and the northerly one-half of Tract 8 were designated Residential Low (RL) on the Future Land Use Map. The zoning remained Suburban Residential (SR). The FLUM designation matched the zoning but not the existing use of the property which had been a commercial use since 1958.

The Residential Low (RL) FLUM designation was also applied to the two tracts south of the Quay Restaurant, Tract 7 and the southerly one-half of Tract 8. These tracts were also zoned Suburban Residential (SR) and the new FLUM designation therefore matched the zoning in place.

The Residential Low (RL) designation was further extended to the south to include Tracts 6, 5, and 4. These properties are zoned Suburban Commercial (SC) and the FLUM designation they were given did not match their zoning.

There appear to be several inconsistencies in the Future Land Use Map designations within this area. Some of the FLUM designations did not match the existing zoning. Other FLUM designations matched the zoning but did not match the long established land uses.

**Map Changes or Boundary Considerations since 1986:** In 1995, the Quay Restaurant property, Tracts 10, 9 and the northerly one-half of Tract 8, was the subject of a rezoning request. Ordinance 030-1995 and Rule 9J014.033 F.A.C rezoned the property from Suburban Residential (SR) to Suburban Commercial (SC) in recognition of the existing land use. The Comprehensive Plan and FLUM were still in litigation in 1995 and as a result the FLUM designation for the Quay Restaurant property was not amended at that time and remained Residential Low (RL).

#### **ANALYSIS & RATIONALE FOR CHANGE (Pursuant to Section 9.5-511 (d) (5) (b))**

**9.5-511 (d)(5)(b) (i) Changed Projections and (ii) Changed Assumptions:** The incorporation of Islamorada removed most of the area south of Mile Marker 91 from the jurisdiction of Monroe County's Upper Keys offices of the Planning and Environmental Resources and Building Departments. The incorporation also placed the County Planning, Environmental Resources and Building offices within incorporated Islamorada. The new government center will relocate services to Key Largo within unincorporated Monroe County and within the County Planning and Environmental Resources and Building Departments' service area.

**9.5-511 (d)(5)(b) (iii) Data Errors:** None.

**9.5-511 (d)(5)(b) (iv) New Issues:** At the time the zoning map was drawn for the 1986 Comprehensive Plan, Suburban Residential (SR) zoning allowed for low and medium intensity commercial retail of up to 2,500 sq. ft. of floor area. The existing restaurant use may have been considered consistent with the proposed land use designation at the time. However, the existing restaurant was larger than 2,500 sq. ft. in area and therefore would have been rendered nonconforming by the change in zoning.

The proposed Public Buildings/Grounds (PB) FLUM designation is appropriate to a government center.

Public buildings and uses are a permitted use within the Suburban Commercial (SC) district.

**9.5-511 (d)(5)(b) (v) Recognition of a need for additional detail or comprehensiveness:**  
None

9.5-511 (d)(5)(b) (vi) Data updates: None

## **IMPACT AND POLICY ANALYSIS:**

### **Comparison of Development Potential for the Current and Proposed Land Uses:**

#### **1. Current Land Development Regulations (LDRs)**

**Section 9.5-206** states the purpose of the SC district is to establish areas for commercial uses designated and intended primarily to serve the needs of the immediate planning area in which they are located. This district should be established at locations convenient and accessible to residential areas without use of U.S. 1.

Allowable uses in the Suburban Commercial land use district pursuant to Section 9.5-235 and pertinent to the FLUM amendment include:

#### Uses permitted as of right include:

- Commercial retail low and medium intensity and office uses or any combination of less than 2,5000 sq. ft. in floor area
- Commercial apartments involving less than six (6) dwellings units
- Public Buildings and uses

#### Uses requiring a major conditional use include:

- Commercial retail of low and medium intensity and office uses or any combination greater than 10,000 sq. ft in floor area, additional regulations apply
- Commercial retail uses of high intensity greater than 2,500 sq. feet in area, additional regulations apply
- Hotels providing twenty-five (25) or more rooms, additional regulations apply

#### **2. Current Monroe County Year 2010 Comprehensive Plan Designations (FLUM)**

The present **Future Land Use Category** designation of the site is Residential Low (RL).

**Policy 101.4.2** The principal purpose of the Residential Low land use category is to provide for low-density residential development in partially developed areas with substantial native vegetation. Low intensity public and low intensity institutional uses are also allowed.

The subject property has been cleared and has been commercially developed since 1958. The area is adjacent to commercially developed property to the north including a hotel.

The **Future Land Use Category** that actually corresponds to the Suburban Commercial (SC) land use district is Mixed Use Commercial (MC). **Policy 101.4.5** of the Year 2010 Comprehensive Plan states that the principal purpose of the Mixed Use Commercial land use category is to provide for the establishment of commercial zoning districts where various types of commercial retail and office may be permitted at intensities which are consistent with the community character and the natural environment. Employee housing and commercial apartments are also permitted.

Had the FLUM been changed previously to reflect the long standing commercial development on the site, a Suburban Commercial (SC) would have been applied. The combination of a Suburban Commercial (SC) land use designation and Mixed Use Commercial (MC) FLUM would have allowed the potential for intense redevelopment of the site.

### 3. Potential Land Uses under Proposed Future Land Use Amendment

No change in the Land Use District designation is proposed. The subject site is to remain Suburban Commercial (SC). See above for potential land uses.

It is proposed to amend the Future Land Use Map for the subject site from Residential Low (RL) to Public Buildings/Grounds (PB).

**Future Land Use Category:** The Monroe County Year 2010 Comprehensive Plan describes the Public Buildings/Grounds (PB) **Future Land Use Category** as:

**Policy 101.4.12** The principal purpose of the Public Buildings/Grounds (PB) land use category is to provide for public buildings and grounds owned by the federal, state and local governments.

**Corresponding Zoning:** The Monroe County Year 2010 Comprehensive Plan does not identify a **Corresponding Zoning** to match the Public Buildings/Grounds (PB) **Future Land Use Category**. The Public Buildings/Grounds (PB) land use designation may be applied to any land use district designation including the Suburban Commercial (SC) land use designation.

**Potential Development:** The Land Development Regulations list public buildings and uses as a permitted use within the Suburban Commercial (SC) District.

The site has mixed designations with commercial zoning and a residential FLUM designation. This limits the potential for redevelopment due to the restrictions that result from the FLUM designation.

The subject site has a commercial allocation of 8,125 sq. ft. This allocation may be transferred off site to eligible locations.

The proposed FLUM designation will limit development on the site to federal, state and local government including public buildings and grounds.

Government buildings are not required to secure an Non Residential Rate of Growth Ordinance (NROGO) allocation and therefore the 8,125 sq. ft. commercial allocation would not be necessary for the construction of a government building.

**Section 9.5-511 ((d) (5) Compatibility with Adjacent Land Uses and Effects on community Character:** Prohibits any amendments that would negatively impact community character.

The proposed Future Land Use Amendment will not result in a conflict with the character of the surrounding community based on the following findings:

#### 1. Density and Intensity

The change in FLUM designation will provide for government buildings and grounds that would be less intense than commercial development and with similar hours of operation to residential development.

The Suburban Commercial land use designation allows a floor area ratio for commercial development at an intensity of from 0.35 to 0.15 depending on land use intensity.

Offices may be developed at a floor area ratio of .40.

Public buildings and uses may be developed at a floor area ratio of .30.

#### 2. Use Compatibility

Public buildings and grounds uses are compatible with commercial and residential neighbors. Where necessary, buffer yards will be provided. The proposed FLUM designation is consistent with the existing Land Use Designation of the subject site.

**Effects on Natural Resources: Goal 102** of the Year 2010 Comprehensive Plan states that Monroe County shall direct future growth to lands which are intrinsically most suitable for development and shall encourage conservation and protection of environmentally sensitive lands.

The site is a scarified and development will not remove upland native vegetation. The shoreline may not have sufficient water depth to allow docking or launching facilities.

Control of stormwater on the upland will be required with any permits issued for the site, so nearshore water quality should not be affected, and possibly improved.

The large standing trees on the Tract would be subject to the standard "transplantation" conditions of the Land Use Plan if they had to be removed for any future project. Additionally, the existing buffer yards and parking Tract landscaping are not up to current requirements, and new construction will be required to come into compliance with codes. Since this landscaping is required to be at least 70% native plants, the site will be revegetated to a certain extent.

**Effects on Public Facilities: Objective 101.11** Monroe County shall implement measures to direct future growth away from environmentally sensitive land and towards established development areas served by existing public facilities.

The Public Buildings/Grounds (PB) designation provides for government uses and subject site is in an area that was previously developed with an intense restaurant commercial land use. It is not an area of environmentally sensitive lands.

#### **2004 Monroe County Public Facilities Capacity Assessment Report**

##### 1. Traffic Circulation

The site is served by US-1 a four lane divided highway. The Key Largo highway segment has a **Level of Service rating of A** and is considered **Adequate**.

##### 2. Solid Waste

The existing solid waste haul out contract will provide Monroe County with **guaranteed capacity to September 30, 2016**. The proposed FLUM change if compared to the previous restaurant use on the site or potential uses under the existing designations will not have a discernable effect on solid waste generation or removal.

##### 3. Potable Water

The Florida Keys Aqueduct Authority's existing consumptive use permit authorizes the withdrawal of sufficient quantities to meet the anticipated demand. The proposed FLUM amendment is not anticipated to have any discernable effect on potable water withdrawals.

#### **Additional Considerations**

##### 1. Storm Water

Section 9.5-293 of the Land Development Regulations requires that all developments retain stormwater onsite following Best Management Practices (BMP). Pursuant to **Policy 101.1.1** all projects shall be designed so that the discharges will meet Florida State Water Quality Standards.



Compliance review for these sections is determined by the South Florida Water Management District and occurs at the time a development permit has been filed.

## 2. Wastewater

Policy 901.1.1 requires that at the time a development permit is issued, adequate sanitary wastewater treatment and disposal facilities are available to support the development. Wastewater issues will be addressed at the time a development proposal is brought forward.

## 3. Tier Designation

The subject site is designated a Tier III Infill Area. **Policy 105.2.1 (3)** Any geographic area where a significant portion of land area is not characterized as environmentally sensitive as defined by this plan, where existing platted subdivisions are substantially developed, served by complete infrastructure facilities, and within close proximity to established commercial areas, or where a concentration of non-residential uses exists, is to be designated as Infill Area. New development and redevelopment are to be highly encouraged.

### **Effects on Redevelopment / Infill Potential:**

The site is presently developed although the existing restaurant use has been vacant for several years. The bay front site with approximately 4.0 acres of land is located on US-1 with direct access to the highway.

The proposed FLUM amendment to Public Buildings/Grounds (PB) envisions the demolition of existing buildings on the site and the development of a government building on the property.

### **FINDINGS OF FACT**

1. The Quay Restaurant, Tracts 10, 9 and the north one-half of Tract 8 were rezoned to Suburban Commercial (SC) in 1995.
2. Public buildings and uses are a permitted use in the Suburban Commercial (SC) District.
3. The Future Land Use Map was not changed from Residential Low (RL) during the previous Land Use Map amendment due to ongoing litigation in 1995 regarding the Comprehensive Plan and the Future Land Use Map.
4. The County has purchased the property for an office building and other public uses.
5. The incorporation of Islamorada removed most of the area south of Mile Marker 91 from the jurisdiction of Monroe County's Upper Keys offices' of the Planning and Environmental Resources and Building Departments. The incorporation also placed the County Planning, Environmental Resources and Building offices within incorporated Islamorada. The new government center will relocate services to Key Largo within unincorporated Monroe County and within the County Planning and Environmental Resources and Building Departments' service area.
6. The Monroe County Year 2010 Comprehensive plan provides a Future Land Use Map designation for public buildings and grounds, **Policy 101.4.12:** The principal purpose of the Public Buildings/Grounds land use category is to provide for public buildings and grounds owned by the federal, state and local governments.
7. The proposed Future Land Use Map amendment will not adversely affect the community character or neighboring properties

8. Based on the **2004 Monroe County Public Facilities Capacity Assessment Report**, existing public facilities, Traffic Circulation, Solid Waste, Potable Water, Storm Water and Wastewater are adequate to develop Public Buildings/Grounds on the site.

#### **CONCLUSIONS OF LAW**

1. The proposed amendment is consistent with the policies and regulations of the Monroe County Year 2010 Comprehensive Plan.
2. Pursuant to Section 9.5-511(d) (5) b i. The incorporation of Islamorada removed most of the area south of Mile Marker 91 from the jurisdiction of Monroe County's Upper Keys offices of the Planning and Environmental Resources and Building Departments. The incorporation also placed the County Planning and Building offices within incorporated Islamorada. The new government center will relocate services to Key Largo within unincorporated Monroe County and within the County Planning and Environmental Resources and Building Departments' service area.
3. Pursuant to Section 9.5-511(d) (5) b iv. The property has been purchased by Monroe County as the site for its future government center. The proposed Public Buildings/Grounds (PB) Future Land Use Map designation is appropriate to a government center.
4. Based on the **2004 Monroe County Public Facilities Capacity Assessment Report**, existing public facilities, Traffic Circulation, Solid Waste, Potable Water, Storm Water and Wastewater are adequate to develop Public Buildings/Grounds on the site.

#### **RECOMMENDATION**

The Planning and Environmental Resources Department recommends **APPROVAL** of the proposed Future Land Use Map amendment from Residential Low (RL) to Public Buildings/ Grounds (PB) for the subject property.